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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/516,615	12/03/2004	Dominique Baillet	1200.720	7122
7590 Liniak Berenator Longacre & White Suite 240 6550 Rock Spring Drive Bethesda, MD 20817			EXAMINER LUGO, CARLOS	
			ART UNIT 3676	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE			MAIL DATE	DELIVERY MODE
3 MONTHS			04/10/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/516,615	<b>Applicant(s)</b> BAILLET, DOMINIQUE	
	<b>Examiner</b> Carlos Lugo	<b>Art Unit</b> 3676	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 09 January 2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1 and 4-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 4-10 is/are allowed.
- 6) ☒ Claim(s) 1, 11-14 and 17 is/are rejected.
- 7) ☒ Claim(s) 15, 16 and 18-20 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 December 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. This Office Action is in response to applicant's amendment filed on January 9, 2007.

#### ***Drawings***

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the stop members as claimed in claim 12 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement-drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the examiner does not accept the changes, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) The invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. **Claims 1,11,13,14 and 17 are rejected** under 35 U.S.C. 102(b) as being anticipated by EP 775,791 to Edward.

Regarding claim 1, Edward discloses a lock comprising operating means (14 and 40).

A primary lever (10) pivots about a primary pin (about the member 12) between an angular locking position and an angular unlocking position in order to inhibit the means for operating from the outside.

A secondary lever (36) pivots about a secondary pin (38), substantially parallel to the primary pin, between an angular locking position and an angular unlocking position in order to inhibit the means for operating from the inside.

A driving member (12) is connected to the primary lever in order to directly pivot the primary lever from its locking position toward its unlocking position, during an operating phase referred to as outside unlocking phase.

Connection means (42) is arranged between the primary and the secondary levers so as to link the angular displacement of the two levers during the outside unlocking phase, with the aim of bringing about global unlocking of the lock

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consisting in pivoting the two levers from their respective locking positions toward their respective unlocking positions.

Edward illustrates that the connection means is a link rod (42) that comprises a point of articulation on the primary lever and a point of articulation at the secondary lever (Figure 1).

Edward illustrates that the position of the articulation points of the link rod (42) is selected so that, during the global unlocking phase, the secondary lever (36) reaches its unlocking position before the primary lever (10) reaches its unlocking position (Figures 2-5).

As to claim 11, Edwards discloses that the lock comprises means designed to make the secondary lever bistable or making the secondary lever stable in two positions.

As to claim 13, Edward discloses that the link rod (42) is directly pivotally connected at a fixed location (46) to the primary lever (10).

As to claim 14, Edward discloses that the link rod (42) is directly pivotally connected at a fixed location to the primary lever (36).

As to claim 17, Edward discloses that each of the primary and secondary levers are associated with a remotely controlled electric actuator (14,40).

### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

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invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. **Claim 12 is rejected** under 35 U.S.C. 103(a) as being unpatentable over EP 775,791 to Edward in view of US Pat No 5,738,393 to Chao.

Edward fails to disclose the use of stop members to stop the movement of the levers.

Chao teaches that it is well known in the art to provide a lock mechanism with stop members (26,30) to limit the movement of the levers (14,16).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the lock mechanism described by Edward with stop members, as taught by Chao, in order to limit the movement of the levers.

***Allowable Subject Matter***

7. **Claims 4-10 are allowed.**
8. **Claims 15 and 18 are objected** to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
9. **Claims 16,19 and 20 would also be allowed** because the claims depend from claims 15 and 18 respectively.

At the instant, Edward fails to disclose that the link rod (42) is articulated at a fixed point of the primary lever and that the link rod is articulated on the secondary lever by means of an axial peg which is borne by the link rod and which interacts with an edge of a slot made in the secondary lever (claim 4).

Edward discloses that the link rod (42) is articulated at a fixed point of the secondary lever (36), the link rod is articulated on the primary lever (10) by means of an axial peg (46) that interacts with an edge of a slot (44) made in the link rod.

As to claims 15 and 18, Edward fails to disclose that the driving member (12) includes a transfer lever in turn driven by a key-operated cylinder, whereby pivoting of the cylinder actuates transfer lever thereby mechanically driving the primary lever about the fixed primary pin.

### ***Response to Arguments***

10. Applicant's arguments filed on January 9, 2007 have been fully considered but they are not persuasive.

The applicant argues that Edward fails to disclose that the link rod comprises a point of articulation on the primary lever and a point of articulation at the secondary lever and that the position of the articulation points of the link rod is selected so that, during the global unlocking phase, the secondary lever reaches its unlocking position before the primary lever reaches its unlocking position (Page 8 Line 13).

Edward clearly illustrates that the secondary lever (36) would move to the unlocking position before the primary lever (10) by means of the lost motion formed by the slot 44). The argument is not persuasive and the rejection is maintained.

### ***Conclusion***

11. Applicant's amendment, the limitations of claims 15-20, necessitated a new examination and new ground(s) of rejection presented in this Office action.

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Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carlos Lugo whose telephone number is 571-272-7058. The examiner can normally be reached on 10-7pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Glessner can be reached on 571-272-6843. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the



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Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

A handwritten signature in black ink, appearing to read 'CL', with a horizontal line extending to the right.

Carlos Lugo  
Patent Examiner  
Art Unit 3676

April 4, 2007.